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THE CONSTITUTION

AND

CANONS

OF THE

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Protestant Episcopal Church

IN THE

DIOCESE OF MASSACHUSETTS.

MAY 4, A.D. 1888.

BOSTON:
DAMRELL AND UPHAM,
(Successors to Cupples, Upham, and Company,)
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W. I. R. Marvin,

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Certification.

This edition of the Constitution and Canons of the Protestant Episcopal Church in the Diocese of Massachusetts, having been compared with the original record thereof, is hereby certified as correct.

Attest:

WM. HENRY BROOKS,

Secretary of the Convention of the Diocese of Massachusetts.

Hanover, May 4, A.D. 1888.

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The Constitution.

Article 1.

of acceding to the general constitution.

This Church, the Protestant Episcopal Church in the Diocese of Massachusetts, accedes to the Constitution and Canons of the Protestant Episcopal Church in the United States of America.

Article 2.

of the convention.

Section 1. There shall be a Convention of this Church, consisting of the Bishop, the Assistant Bishop (if there be one), and Clergymen and Laymen, as follows: —

Sect. 2. The Bishop and the Assistant Bishop shall each have a seat and vote in the Convention. Every Clergyman of this Diocese shall be entitled to a seat and vote in the Convention, *provided*, that he has been canonically resident for at least twelve months next preceding the session of the Convention. And all other Clergymen, canonically resident in this Diocese, shall be entitled to all the privileges of membership of this Convention, except the right to vote.

Sect. 3. Every Parish in this Diocese, in union with this Convention, shall be entitled to send to the Convention a Lay Delegate or Delegates, not exceeding three, who shall remain in office till the sitting of the next Annual Convention, the Parish or Vestry to have the power of filling any vacancies which may occur; a certificate of whose appointment, signed by the Wardens or Parish

Clerk, shall, before his or their admission to a seat, be laid before the Convention; *provided*, that no person shall be competent to serve as a Lay Delegate unless he be a stated worshipper in the Parish which he represents. The delegation from each Parish shall be entitled, on a division by Orders, to but one vote.

SECT. 4. The Convention shall be the final judge of the qualifications of its members; but no Clergyman under canonical sentence of suspension, and no Layman repelled from the Holy Communion, with the subsequent approval of the Bishop of the Diocese, shall be entitled to membership.

ARTICLE 3.

OF THE ANNUAL SESSIONS OF THE CONVENTION.

SECTION 1. There shall be an Annual Session of the Convention of the Church in this Diocese, on the fifth Wednesday after Easter, in such place as shall have been determined by the Convention at its last preceding session.

SECT. 2. For any sufficient cause, occurring after the designation of the place of session, the Ecclesiastical Authority may change the time and place of such session; *provided*, that the time of session shall not be more than three months later or one month earlier than the stated time.

ARTICLE 4.

OF THE SPECIAL SESSIONS OF THE CONVENTION.

SECTION 1. Special Sessions of the Convention may be called by the Bishop, at his discretion, and shall be called whenever requested by the Standing Committee; or, in case of a vacancy in the Episcopate, or disability of the Bishop, such Special Sessions may be called by the Standing Committee.

SECT. 2. The purpose or purposes for which such session is called shall be duly stated in the notice thereof, which shall be sent by the Secretary to every Clergyman canonically connected with the Diocese, and to every Parish in union with the Convention, at least four weeks previous to the time appointed therefor.

SECT. 3. No business shall be transacted at such session, other than that stated in the notice thereof, except by a vote of at least two-thirds of each Order.

ARTICLE 5.

OF THE PRESIDENT OF THE CONVENTION.

The Bishop shall preside in the Convention. In the absence of both the Bishop and Assistant Bishop (if there be one), the members shall elect a President from among the Presbyters of the Convention.

ARTICLE 6.

OF THE SECRETARY OF THE CONVENTION.

At each Annual Session of the Convention, a Secretary shall be elected. His duty shall be to take minutes of the proceedings, and to enter them, when approved, in a proper book; to preserve the Journals and records; to attest the public acts of the body; and to deliver to his successor all books and papers belonging to the Convention which may be in his custody. An Assistant Secretary may also be appointed by the Secretary, with the approval of the Convention. In case of a vacancy in the office of Secretary, the duties thereof shall devolve upon the Assistant Secretary, if there be one; if not, upon the Secretary of the Standing Committee.

ARTICLE 7.

OF THE TREASURER, AND REGISTRAR OF THE DIOCESE.

At each Annual Session of the Convention, a Treasurer and a Registrar shall be elected. If not members of the Convention, they shall be entitled, *ex officio*, to all the rights and privileges of membership, except that of voting.

Article 8.

OF THE STANDING COMMITTEE.

There shall be a Standing Committee of the Diocese, elected by the Convention at its Annual Session. It shall consist of four Presbyters canonically and actually resident in the Diocese, and four Laymen, communicants of this Church and resident in the Diocese. Vacancies in said Committee shall be filled by the concurrent vote of the Clerical and Lay members of the same, duly assembled.

Article 9.

OF THE TRANSACTION OF BUSINESS.

Section 1. In all matters which come before the Convention, the Clergy and Laity shall deliberate, and shall vote as one body, except when a vote by Orders shall be called for by any three Clerical members, or by the Delegates from any three Parishes, and except when such vote shall be required by the Constitution or Canons of the Diocese; in which cases the two Orders shall vote separately, the Clergy by individuals, and the Laity by Parishes, the delegation from each Parish being entitled to one vote, and no more; and the concurrence of a majority of each Order shall be necessary to constitute a decision.

Sect. 2. A majority of the Lay Delegates from a Parish shall determine the vote of that Parish. When the Delegates from a Parish are equally divided, the vote of the Parish shall be cast, with the word "divided" written thereon, and shall be counted as a vote.

Sect. 3. The presence of one-third of the Clergymen entitled to seats in the Convention, and of Delegates from one-third of the Parishes in union with the Convention, shall be necessary for the transaction of business; but a smaller number may adjourn from day to day.

Article 10.

OF THE ELECTION OF A BISHOP.

Section 1. The election of a Bishop, or of an Assistant Bishop, shall be made only at an Annual Session of the Convention, or at a Special Session of the Convention called for the purpose at least sixty days before the time appointed, the object being stated in a notice sent by the Secretary of the Convention to every Clergyman canonically connected with the Diocese and to every Parish in union with the Convention.

Sect. 2. The election shall be by ballot, and in the manner elsewhere prescribed in the Constitution and Canons for elections by ballot.

Article 11.

OF THE ELECTION OF OFFICERS.

Section 1. All elections shall be by ballot and by Orders, unless the Convention, by a majority of three-fourths of the members voting, shall otherwise determine.

Sect. 2. The person or persons in office shall hold over until their successors are elected.

Article 12.

OF THE ADMISSION OF A PARISH INTO UNION WITH THE CONVENTION.

Section 1. To entitle a Parish to admission into union with the Convention, such Parish shall submit to the Convention a certified copy of its Articles of Association, or other satisfactory evidence of its organization (or, if specially incorporated, of its Charter), and of its Constitution and By-Laws; in which it must be declared that such Parish accedes to the Doctrines, Discipline, and Worship, the Constitution and Canons of the Protestant Episcopal Church in the United States, and to the Constitution and Canons of this Diocese; and such Parish shall lay before the Convention written evidence, subscribed by the Wardens and Vestry, that it has been

duly organized as such for the space of one year, and during that time has held regular public services.

SECT. 2. Copies of said Articles of Association or Charter, and of the Constitution and By-Laws of such Parish, together with the circumstances and need of its organization, must also be submitted to the Bishop and Standing Committee of the Diocese at least one month before the Annual Session of the Convention, and be approved by them respectively; or, if not so approved, he or they shall report to the Convention the reasons, in writing, of such disapproval. The whole subject, with all the documents, shall be referred to a special committee of three Clerical and three Lay members of the Convention to report thereon.

SECT. 3. Whenever any Parish in union with the Convention shall neglect, for three years in succession, to make a Parochial Report (no Missionary Report being made in its behalf during said period), or shall not, during the said three years, have employed a Clergyman as its Parish Minister, nor made application to the Ecclesiastical Authority for the services of a Missionary with just provision towards his support, such Parish shall be regarded as having forfeited its connection with the Convention, and shall no longer be entitled to representation in the same. The Bishop shall report such Parish to the Convention in his annual address.

SECT. 4. Any Parish presented by the Bishop and Standing Committee for violation of the General or Diocesan Constitution or Canons of the Church may be declared contumacious by a concurrent vote of two-thirds of each Order, and thereupon shall forfeit its right to representation in the Convention. The Bishop shall report any such Parish to the Convention as occasion may require.

SECT. 5. But any such Parish may, upon its application, be re-admitted into union with the Convention by a concurrent vote of two-thirds of each Order, such re-admission to take effect from and after the close of the session of the Convention consenting thereto.

Article 13.

OF THE ASSISTANT BISHOP.

In case of the absence or inability of the Bishop, the duties assigned to him by this Constitution, or by the Canons, shall be performed by the Assistant Bishop (if there be one).

Article 14.

OF ALTERATIONS OF THIS CONSTITUTION.

The mode of altering or amending this Constitution shall be as follows: The proposed amendment shall be presented in writing at an Annual Session of the Convention; and, if approved by a majority of each Order, it shall be acted upon at the next Annual Session of the Convention; when, if a majority of each Order, voting separately and by ballot, shall approve the said proposed amendment, it shall become a part of the Constitution of the Diocese.

Article 15.

OF REPEAL.

All previous Constitutions of the Diocese are hereby repealed.

The Canons.

Title I.

OF THE CONVENTION.

Canon 1.

OF THE RECORD OR LIST OF CLERGY IN THE DIOCESE.

Record or list of Clergy to be prepared by the Ecclesiastical Authority.

SECTION 1. The Ecclesiastical Authority shall prepare, or cause to be prepared, a list of all the Clergymen canonically resident in the Diocese; designating those regularly settled in Parishes by the names of their respective cures or Parishes; those employed as Missionaries, by their respective stations; those employed as Presidents, Professors, Tutors, or Instructors, by the respective institutions in which they are engaged; those employed as Heads or Chaplains in any benevolent or public institutions duly incorporated within the Diocese, or in the Army or Navy of the United States, by their respective posts of duty; and those not so engaged, by their places of residence only.

List to be recorded.

SECT. 2. Such list shall be recorded in a book by the Secretary of the Convention.

Record to be kept of canonical certificates.

SECT. 3. The Secretary of the Convention shall record in such book all canonical certificates concerning the election or institution of Ministers, *provided*, that the same be accompanied with the certificate of the Ecclesiastical Authority that the person so chosen to any Parish or cure in this Diocese is a qualified Minister of this Church.

A certificate of reception to be recorded.

SECT. 4. (1.) When letters dimissory shall have been accepted, the Clergyman received shall procure from the Ecclesiastical Authority a certificate that he has been received into the Diocese, in compliance with the Canons. He shall cause such certificate to be delivered to the Secretary of the Convention, who shall record the same.

(2.) The Ecclesiastical Authority shall also certify in writing to the Secretary the names of all Clergymen who shall, by ordination or in any other mode than as above specified, become canonically resident within the Diocese, to be duly recorded; and shall also certify to the Secretary the name of every Clergyman deceased, transferred, deposed, or suspended; in order that such names may, in the first three cases, be stricken from the record; and, in the last, that a minute of the sentence may be made. The Ecclesiastical Authority to certify names of Clergymen received into the Diocese, and clerical changes.

(3.) A copy of such record or list shall be laid before the Convention on the first day of its meeting, and shall be entered upon the Journal. Copy of the list to be laid before Convention.

(4.) Such record, or a transcript thereof, or of such part thereof as may relate to the matter in question, duly attested by the Secretary, shall be admitted in evidence upon all proceedings or trials under any law or Canon in force in this Diocese. Such record admitted as evidence in all trials, etc.

Canon 2.

OF THE CONVENTION.

Section 1. *The Clerical Members, and their Right to Seats.* List of Clergy entitled to seats.

Within one week before the meeting of every Convention of the Diocese, the Ecclesiastical Authority shall prepare, or cause to be prepared, a list of Clergymen entitled to seats in the Convention. Such list, or a copy thereof, authenticated by the Ecclesiastical Authority, shall be laid before the Convention on the first day of the meeting, and filed with the Secretary, who shall record it in a book kept for the purpose.

Sect. 2. *Lay Delegates, and their Right to Seats.*

(1.) The appointment of Lay Delegates to the Convention, in Parishes organized or incorporated with a Vestry, if they be chosen by the Vestry, shall be made at a regular meeting of such Vestry, held according to the laws of the Parish; if they be chosen by the Parish, it shall be under the same regulations as are prescribed for the election of Wardens and Vestrymen of the Parish in which they are chosen. The appointment of Lay Delegates.

(2.) The evidence of the appointment of a Lay Delegate shall be a certificate, signed by the Wardens or the Parish Clerk, which certificate must be laid before the Convention before the admission of said Delegate to a seat. Evidence of appointment.

(3.) Every certificate of the appointment of a Lay Delegate shall attest that the appointment has been made in pursuance of the requirements of this Section; and shall certify that the Delegate has the qualifications required by the next succeeding clause of this Section. Certificate.

Qualifications.

(4.) No Lay Delegate shall be entitled to a seat in the Convention unless he be a stated worshipper in the Parish which he is appointed to represent.

Election of Lay Delegates.

(5.) The time, place, and manner of holding an election of Lay Delegates, and the notice for holding the same, shall be fixed by rules or by-laws made by the Vestries of such Parishes, or by the Lay members of the same, duly qualified at a meeting duly convened. It shall be the duty of the Clerks of the several Parishes, immediately after the choice of Delegates to the Convention, to report the names of such delegates to the Secretary of the Convention, to aid him in making up a list of Lay Delegates for use in the organization of the Convention.

A copy of this Section to be sent to every Parish.

(6.) A copy of this Section shall be transmitted by the Secretary of the Convention to the Vestry or Trustees of every Parish in union with the Convention, with blank printed forms of proceedings under it, to be entered upon their book of minutes. All alterations shall be similarly transmitted.

The Convention to decide contested seats.

(7.) No other certificate or evidence of the appointment of a Lay Delegate than such as is required by this Section shall be required; and any Laymen, duly certified as above, shall be entitled to seats until further action of the Convention thereon.

SECT. 3. *The Call of the Convention.*

Call of the Convention by a written or printed notice.

Unless it be otherwise directed by the Convention, the mode of giving notice of the meeting of the Convention shall be by printed or written notice, naming the time and place thereof, with the signature of the Secretary, sent by mail to each Clergyman canonically connected with the Diocese, and to each Parish in union with the Convention. The notice of the Annual Meeting of the Convention shall be sent at least four weeks before the time appointed; the notice of a Special Meeting of the Convention shall be sent as required by Article 4 of the Constitution.

SECT. 4. *Organizing the Convention.*

Every Session to be opened with Divine Service.

(1.) Every Session of the Convention shall be opened with Divine Service. On the first morning there shall be a Sermon and the Administration of the Holy Communion. A Clergyman shall be appointed by the Convention, who shall be the preacher at its next Annual Session, unless, at least one month before the same, the Bishop shall give said Clergyman notice that the Sermon, Address, or Charge is to be delivered by the Bishop.

Secretary to preside in absence of Bishop.

(2.) If the Bishop be not present, nor the Assistant Bishop (if there be one), at the appointed time and place for holding the Convention, the Secretary shall call the members present to order, and shall preside until a presiding officer be elected.

(3.) The Secretary shall call the names of the Clergymen entitled to seats, from the list filed with him, as directed in Section 1 of this Canon. Secretary to call names of Clergy.

(4.) The Secretary shall call the Parishes entitled to representation, when the Lay Delegates shall present their certificates, which certificates shall be referred to a committee of three members, appointed by the presiding officer. Irregular or defective certificates, and certificates and documents referring to contested seats, shall be temporarily laid aside. The names of the Lay Delegates, reported as duly certified, shall then be called, after which the certificates and documents laid aside shall be reported to the Convention, which shall decide on the admission of the Delegates named therein. Certificates of Lay Delegates to be presented. Roll of Lay Delegates to be called.

(5.) A quorum being present, the Bishop, if present, shall declare the Convention duly organized. If the Bishop be not present, nor the Assistant Bishop, the Secretary shall direct that the members proceed to vote for a President, as provided for in Article 5 of the Constitution. The President thus elected shall declare the Convention organized for business. Organization.

(6.) The Convention shall then proceed to the election of a Secretary. Secretary to be elected.

(7.) The rules of order in force at the Annual Session of the Convention next preceding shall be in force until altered by the Convention. Rules of order.

SECT. 5. *Elections by Ballot.*

When elections are by ballot, three Clerical tellers shall be appointed by the President to receive and count the votes of the Clerical Order, and three Lay tellers to receive and count the votes of the Lay Order. The Clerical tellers shall take their places at the right of the President, and shall receive the votes of the Clerical members. The Lay tellers shall take their places at the left of the President, and shall receive the votes of the Parishes entitled to representation, each Parish so entitled having one vote. When the tellers of the two Orders are ready to report, their reports shall be presented to the President; first, that of the votes of the Clerical Order, and then that of the votes of the Lay Order. If it shall then appear that a majority of the votes of both Orders have been cast for the same person, that person shall be declared elected. If no person has such concurrent majority, the ballot of each Order shall be accounted a nullity. Subsequent ballots shall be taken under the same regulations as the first. Tellers to be appointed. Report of tellers.

SECT. 6. *The Secretary.*

(1.) In addition to the offices and duties elsewhere declared, it shall be the duty of the Secretary to give notice of any meeting of the Convention, in a written or printed letter, transmitted To give due notice of meeting of Convention.

by mail to every clergyman canonically connected with the Diocese, and to every Parish in union with the Convention, at least four weeks before the time appointed. This letter shall contain a notice of the time and place of holding the Convention; a printed copy of Section 2 of Canon 2, relating to the appointment of Lay Delegates; a form of certificate of their election; and, with the notice of the time and place of the Annual Session of the Convention, a copy of the blank form of Parochial Report adopted by the Convention, with a request that it be filled up and presented to the Bishop.

To transmit copies of the Journal.

(2.) He shall transmit annually to each of the Bishops of this Church, and to the Secretary of every Diocesan Convention or Council, and to the Secretary of the House of Deputies of the General Convention, a copy of the Journal of the Convention; and shall secure, so far as possible, from the Secretaries of the Diocesan Conventions or Councils, copies of their Journals in exchange.

To transmit certain documents to the General Convention.

(3.) He shall also transmit to every General Convention, in addition to the documents mentioned in Section 3 of Canon 17, Title I., of the Digest of Canons of the General Convention, a certificate signed by himself, containing a list of the nominations of Trustees of the General Theological Seminary, and also a like certificate of the appointment of Clerical and Lay Deputies.

SECT. 7. *The Treasurer.*

To receive, and disburse moneys.

(1.) It shall be the duty of the Treasurer to receive and disburse all moneys collected under authority of the Convention, and of which the collection and appropriation shall not be otherwise specifically ordered.

Accounts to be rendered.

(2.) His accounts shall be rendered annually to the Convention, and shall be examined by a committee appointed by it.

When removed.

(3.) He may be removed from office at any time by the Standing Committee, acting by and with the advice and consent of the Bishop, for any neglect, misconduct, or incapacity.

CANON 3.

OF THE STANDING COMMITTEE.

Shall choose a President.

SECTION 1. The Standing Committee shall, at their first meeting, choose a President from among the Clerical members, and a Secretary, either Clerical or Lay. The Secretary shall record their proceedings in a book provided for this purpose, which book, and all papers in their hands relative to the Diocese, shall be subject to the examination of the Bishop and of the Convention; and a full report of their acts shall be made

at each Annual Meeting of the Convention. A majority of the Committee shall be a quorum. A Quorum.

SECT. 2. The Standing Committee shall be a Council of Advice to the Bishop. They may be summoned by the Bishop whenever he shall wish for their advice; and they may meet of their own accord, and agreeably to their own rules, whenever they may be disposed to advise the Bishop. Council of Advice.

SECT. 3. In case of a vacancy in the Episcopate, the Standing Committee shall be the Ecclesiastical Authority of the Diocese in all cases except such as are otherwise provided for by the Canons of the General Convention or of this Diocese. Ecclesiastical Authority in vacancy of Episcopate.

SECT. 4. The Standing Committee shall have authority to fill all vacancies that may occur during the recess of the Convention, in any committees appointed to sit in the recess of Convention, and also in such other offices as are held by annual election, for filling vacancies in which other provision has not been made. Power to fill vacancies.

SECT. 5. On an application for the establishment of a new Parish within the limits of an existing Parish, the Standing Committee shall notify the Rector of said Parish (or, if there be no Rector, the Wardens) of such application, and also of the time and place appointed for the hearing of it, when the Rector, or Wardens, or Committee of the Parish, shall be allowed to make any suggestions or representations, either personally or in writing, in relation to the matter. To receive application for establishment of a new Parish.

CANON 4.

OF THE DEPUTIES TO THE GENERAL CONVENTION.

SECTION 1. At each Annual Convention next preceding a stated meeting of the General Convention, four Clergymen and four Laymen shall be elected by the concurrent vote of the Clerical and Lay members, to represent this Diocese in said General Convention, who shall continue in office until the meeting of this Convention next preceding the meeting of the next General Convention, or until their successors are elected. The Clerical Deputies shall be Presbyters canonically connected with the Diocese, and the Lay Deputies shall be communicants of the Church and residents of the Diocese. The Convention shall also, in like manner, elect four Clergymen and four Laymen, with the same qualifications as the other Deputies, as Provisional Deputies to act in the cases hereafter mentioned. At the time of election, the Convention shall determine the order in which the names of the Provisional Deputies shall be entered upon the Journal. Deputies to be chosen. Number and qualifications. Provisional Deputies.

Vacancies filled.

SECT. 2. Any vacancy occurring among the Deputies or Provisional Deputies shall be filled at any session of the Convention during which, or prior to which, such vacancy shall occur.

Deputies to signify intention to attend.

SECT. 3. In case of the inability of any Deputy to attend, or in case of vacancy, the Secretary of the Convention shall designate from the list of Provisional Deputies, in the order of their record on the Journal, so many as may be necessary to insure, as far as practicable, a full representation of the Diocese.

CANON 5.

OF THE REGISTRAR.

General duties.

SECTION 1. The Journals, files, papers, reports, and other documents, which, under the Canons or otherwise, shall become the property of this Convention, shall be committed to the keeping of the Registrar.

Shall procure, and preserve documents, etc.

SECT. 2. It shall be the duty of the Registrar to procure all such Journals, files, papers, reports, copies of charters and acts of incorporation of churches, and other documents, as may be of value in the history of this Diocese; to arrange, label, file, index, and otherwise put in order and provide for the safe keeping of the same, and all such others as may hereafter come into his possession, in some safe and accessible place of deposit; and to hold the same under such regulations and restrictions as the Convention may, from time to time, provide.

To record Consecrations.

SECT. 3. It shall be his duty also to preserve, in a proper Registry Book, a record of the ordination and consecration of the successive Bishops of this Diocese, designating accurately the time and place of the same, with the names of the ordaining and consecrating Bishops, and of the others present and assisting; to record a list of all the Presbyters and Deacons, and the dates of their connection with this Diocese, and copies of the charters and acts of incorporation of Parishes in the same, with such additional facts as may be worthy of preservation in the archives of this Diocese.

Shall make an annual report.

SECT. 4. He shall make a report in writing at each Annual Session of the Convention.

CANON 6.

OF THE DIOCESAN FUND.

Assessment on each Parish for contingent expenses.

SECTION 1. Whereas it is indispensable to provide a fund for defraying the contingent expenses of the Convention in this Diocese, therefore it shall be the duty of every Parish in this Diocese to pay to the Treasurer of the Convention, on or before

the day of each Annual Session thereof, a contribution of not less than one per cent. on the salary of its Minister; and any Parish destitute of a Clergyman, and represented by Lay Delegates in the Convention shall pay at each Annual Session of the Convention at least five dollars, or send a certified copy of a vote of its Vestry that it is unable to pay the same; and it shall be the duty of the Treasurer to state, in his annual report, the Parishes which have neglected to comply with this Canon.

How appropriations may be made.

SECT. 2. The money thus paid into the treasury of the Convention shall be subject to appropriation by vote of the Convention, or by a majority of the votes of the Standing Committee, or of such committee as shall be authorized by the Convention to incur expense; and the following appropriations shall always be deemed proper, namely: to pay the travelling expenses of the Bishop of this Diocese; to pay the travelling expenses of such Clerical members of the Convention as cannot afford to pay the same, not exceeding ten dollars to any Clergyman in one year; to pay the travelling expenses of the members of the Ecclesiastical Court; to pay the travelling expenses of the Clerical Deputies to the General Convention, not exceeding fifty dollars to each Clerical Deputy; and to pay for printing the Journals of this Convention and such other publications as shall be printed by order of the Convention; and every Parish shall be entitled to at least five copies of every publication printed by order of the Convention. *Provided*, that no Clergyman shall be entitled to any appropriation from the contingent Diocesan Fund, unless the Parish of which he is the Minister shall have paid its annual assessments, as required in Section 1 of this Canon, or shall have sent a certified copy of a vote that it is unable to pay the same.

For what proper.

Exceptions.

Assessment for contingent expenses of the General Convention.

SECT. 3. And whereas, by Section 5 of Canon 1 of Title III. of the Digest of the Canons of the General Convention, it is made the duty of the several Diocesan Conventions to forward to the Treasurer of the General Convention, at each meeting of the same, a certain sum for each Clergyman within the Diocese, for the purpose of defraying the contingent expenses of the said Convention, therefore it shall be the duty of the Treasurer of this Convention to retain annually one-third of such sum as the General Convention shall require of the Convention of this Diocese. The amount thus retained shall be paid by the Treasurer of the Convention to the Treasurer of the General Convention, at each meeting of the same.

Title II.

OF THE MISSIONARY ORGANIZATION.

Canon 1.

OF THE DIOCESAN BOARD OF MISSIONS.

Constitution of the Board.

Section 1. The work of establishing and sustaining Missions, and of assisting feeble Parishes within the Diocese, shall be committed to a Diocesan Board of Missions chosen by the Convention, consisting of eight Presbyters, engaged in parochial or missionary work, and eight Laymen, communicants of this Church; and of two members, one Clergyman and one Layman, communicants of this Church, chosen annually by each of the four Convocations recognized in Section 5 of this Canon. In all meetings of this Board, nine members shall constitute a quorum.

Term of office.

Sect. 2. Four members of the Board, viz., two Clergymen and two Laymen, shall pass out of office each year; and their places shall then be filled by an election by ballot on nomination by a committee appointed for that purpose. The term of the members of the Board in office at the passage of this Canon shall be as already determined by lot. The Board, at any meeting not less than three months before the Annual Session of the Convention, may fill any vacancy in its membership; but such election shall be for the remainder of the Conventional year only.

Bishop President.

Sect. 3. The Bishop shall be *ex officio* President of the Board.

Meetings.

Sect. 4. The regular meetings of the Board shall be held at such times and places as it shall determine. Special meetings may be called by the Bishop at his discretion, and shall be called when requested by any four members of the Board. Ten days' notice of each meeting shall be given to each member of the Board, unless such meeting be held during the session of the Convention.

Convocations recognized.

Sect. 5. Four Convocations, as at present established, viz., the Eastern, the Southern, the Central, and the Western, are hereby recognized and adopted as auxiliaries of the Board in exploring missionary fields and in other convenient methods of co-operation.

NOTE.—To be inserted between pages 20 and 21 of the Constitution and Canons of the Diocese, edition of May 4, A. D. 1888.

As this day amended, the entire Sections 1, 5 and 8 of Canon I, Title II, are as follows :—

Title II.

OF THE MISSIONARY ORGANIZATION.

Canon 1.

OF THE DIOCESAN BOARD OF MISSIONS.

Constitution of the Board.

SECTION 1. The work of establishing and sustaining Missions, and of assisting feeble Parishes within the Diocese, shall be committed to a Diocesan Board of Missions chosen by the Convention, consisting of eight Presbyters, engaged in parochial or missionary work, and eight Laymen, communicants of this Church; and of two members, one Clergyman and one Layman, communicants of this Church, chosen annually by each of the four Convocations recognized in Section 5 of this Canon. The Dean of each Convocation shall have a seat in the Board, though not a vote. In all meetings of this Board, nine members shall constitute a quorum.

Convocations recognized.

SECTION 5. The four Convocations as at present established, viz: The Eastern, the Southern, the Central and the Western, are hereby recognized as authorized and desired co-workers with the Board of Missions, in the discovery and development of Missionary fields, by means of their several representatives in the Board, and in other convenient methods of co-operation. It shall be the duty of the Board to give prompt and full consideration to every field which any Convocation at a regular meeting, after hearing a written report of its thorough investigation by a duly appointed Clergyman, shall vote formally to recommend. Such recommendation shall also state the ascertained number of communicants and other persons interested, the probable or guaranteed extent of their pecuniary co-operation, the special aid (if any) proposed to be given by the Convocation, and any other facts bearing on the question thus brought before the Board of Missions.

It shall be the duty of the Board, also, to give prompt and full consideration to such recommendations adopted in regular meetings of the Convocations, as the said Convocations may lay before the Board, regarding Missions within their limits, already established.

Appointments of Missionaries.

SECTION 8. Appointments of Missionaries are ordinarily to be made on the nomination of the Bishop or of any three members of the Board. But whenever a Convocation in addition to its usual Parish offering to the Board, shall contribute by a special vote not less than half of the annual stipend fixed by the Board for any Mission, then such Convocation may by vote at a regular meeting nominate a Missionary for the said Mission, and such nomination shall take precedence of all other nominations. All appointments shall be made, and any existing appointment may be terminated by a majority of two-thirds of the members present, and the vote shall be by ballot.

And from Section 2, of this Canon, the words, "on nomination by a Committee appointed for that purpose" are stricken out.

Attest: WM. HENRY BROOKS,
Secretary of the Convention of the Diocese of Massachusetts.

ST. ANDREW'S HOUSE,
38 CHAMBERS STREET, BOSTON.
May 8, A. D. 1890.

Mission Stations, and their Officers.

SECT. 6. The persons connected with any Mission Station may, with the consent of the Board, form a missionary organization, by choosing a Warden, a Treasurer, and a Clerk, whose duties shall be such as usually belong to those offices respectively. The Missionary may, on consultation with above-named officers, appoint all other officers and helpers necessary for the purposes of the Mission. If there be no Missionary, these appointments may be made by the Warden, the Treasurer, and the Clerk.

Parish organization.

SECT. 7. No Mission shall be organized into a Parish without the consent of the Board, under penalty of forfeiture of appropriations from the date of its organization.

Appointments of Missionaries.

SECT. 8. Appointments of Missionaries are to be made on the nomination of the Bishop, or of any three members of the Board, by a majority of two-thirds of the members present, voting by ballot.

Two Sunday Offerings expected from each Parish.

SECT. 9. All Parishes and Mission Stations within the Diocese are expected to give at least two Sunday Offerings in each year, for the furtherance of the work committed to this Board. All Offerings received by the Board for any special work already approved and undertaken by the Board shall be estimated in the Board's redemption of its pledges towards that special work.

Appropriation.

SECT. 10. No appropriation shall be made for a period extending beyond the first day of July following the next Annual Session of the Convention; and all notices of the appropriations of money to a Missionary or a Clergyman shall mention the Mission or Church for which the appropriation is made.

Aid to organized Parishes.

SECT. 11. Organized Parishes may be aided only on a written statement by the Wardens and Vestry, accompanying each application, and declaring the need and amount of the desired aid. Such statement shall have the assent, in writing, of the Missionary or the Clergyman in charge.

Missionary Meetings.

SECT. 12. The Board may, at its discretion, make arrangements for Missionary Meetings in any part of the Diocese; may appoint Delegates to attend them; and, in general, may devise any methods to awaken an interest in the Missionary work.

Report.

SECT. 13. The Board shall make a full report of its work to the Convention at its Annual Session.

Title III.

OF DISCIPLINE.

Canon 1.

OF THE PROCEEDINGS IN THE CASE OF A MINISTER, NOT BEING A BISHOP, ACCUSED, BY PUBLIC RUMOR OR OTHERWISE, OF OFFENCES FOR WHICH HE MAY BE TRIED.

Mode of presentment.

Section 1. The mode of presentment and trial of a Minister for any offence for which, by the laws of the General Convention or of this Diocese, he is or may be liable to be tried, shall be as follows:—

Information of his offence shall first be given in writing to the Standing Committee, which information any member of this Church is hereby declared competent to give. The Standing Committee shall thereupon proceed to a preliminary consideration of the case, and in their discretion, if they see fit, may make a formal presentment of the offence to the Bishop.

Such presentment shall be made in writing, addressed to the Bishop, stating the charges made against the accused, with specifications as to time, place, and circumstances; and any of the specifications in said presentment may be amended from time to time by the Judge Advocate, as the Court may order; and in case there shall be no Bishop, or in case the Bishop shall be implicated in the offence, or shall be related to the accused by consanguinity or affinity, the Standing Committee shall then request the Bishop of some other Diocese to receive the presentment, who, upon the application of the Standing Committee, may proceed in the case, and exercise the same powers as belong or are granted to the Bishop of the Diocese.

When the Standing Committee may institute inquiry.

Sect. 2. Any Minister of this Diocese, not being a Bishop, accused, by public rumor or otherwise, of any offence or offences for which he may be tried as aforesaid, may, for himself, request the Standing Committee to institute such examination and inquiry respecting the truth of the charges against him; and in such case, it shall be the duty of the Standing Committee to institute such examination and inquiry, and to proceed in like manner as is provided in Section 1 of the Canon.

Canon 2.

OF THE TRIAL OF A CLERGYMAN, NOT BEING A BISHOP.

The Bishop to nominate nine Presbyters.

Section 1. Upon such presentment being made by the Standing Committee, as is provided in the foregoing Canon, the Bishop shall, as soon as may be, cause a copy of such presentment to be served on the accused, and shall also nominate nine Presbyters of the Diocese, entitled to seats in the Convention, and not being parties to the presentment nor witnesses in the case, and shall cause a list of their names to be served on the accused, who shall, within thirty days after such service, select five of them, and notify their names in writing to the Bishop; and, if he shall not give such notification to the Bishop within said thirty days, the Bishop shall then select five, and the Presbyters so selected shall form an Ecclesiastical Court for the trial of the accused.

The accused to select five of them.

When the Court shall meet.

Sect. 2. The Court, thus constituted, shall meet at such time and place within the Diocese as the Bishop shall direct, and shall have power to adjourn from time to time, and from place to place, within the Diocese, as they shall deem necessary; and the Bishop shall cause a written notice of the time and place of the first meeting of the said Court to be served, at least thirty days before the time of meeting, on the accused, and also on the Secretary of the Standing Committee.

The attendance of the Court.

Sect. 3. If, at the time appointed for the first meeting of the said Court, the whole number of five shall not attend, those who do attend may adjourn from time to time; or being not less than three in number, they shall have the right to proceed, in case they shall see fit, to a hearing and trial of the case; and their decision, if unanimous, shall be as binding as if the whole Court had been present; but, in case their decision shall not be unanimous, the Bishop shall, at the request of the accused, or of the Standing Committee, order a new trial.

If the accused confesses truth of charges.

Sect. 4. If a Clergyman presented shall confess the truth of the facts alleged in the presentment, the Court shall, in writing, certify the same to the Bishop, and state their opinion as to the sentence that ought to be pronounced; and it shall be the duty of the Bishop to proceed to pass sentence in the manner hereinafter provided. And if a Clergyman presented as aforesaid, after having had due notice, shall fail or neglect to appear before the Court of Presbyters appointed for his trial, unless prevented by sickness or other sufficient cause, he shall be suspended from the exercise of his clerical functions for the term of six months; and if, during that period, he shall not apply for a trial, he shall then be degraded from the Ministry.

Proceedings at trial.

SECT. 5. When the Court proceed to the trial, they shall hear such competent evidence as shall be produced; which evidence shall be reduced to writing, and signed by the witnesses respectively; and some officer, authorized by law to administer oaths, may, at the desire of either party, be requested to administer an oath or affirmation to the witnesses. If, on or during the trial, the accused shall confess the truth of the charges as stated in the presentment, the Court may dispense with hearing further evidence, and may proceed at once to state their opinion to the Bishop as to the sentence that ought to be pronounced.

A Commissary may be appointed to take testimony.

SECT. 6. Upon the application of either party to the Bishop, and it being made satisfactorily to appear to him that any material witnesses cannot be procured upon the trial, the Bishop may appoint a Commissary to take the testimony of such witnesses. Such Commissary may be either a Clergyman or a Layman, and the party so applying shall give to the other at least *six* days' notice of the time and place of taking the testimony. And if the person on whom the notice shall be served shall reside more than forty miles from the place of examination, an additional day's notice shall be given for every additional twenty miles of the said distance. And both parties may attend and examine the witness; and the questions and answers shall be reduced to writing and signed by the witness, and shall be certified by the Commissary, and enclosed under his seal, and transmitted to the Court, and shall be received by them as evidence. A witness examined before such Commissary may be sworn or affirmed in manner aforesaid.

Opinion of the Court to be declared in writing.

SECT. 7. The Court, having deliberately considered the evidence, shall declare in a writing signed by them, or a majority of them, their decision on the charges contained in the presentment, distinctly stating whether the accused is guilty or not guilty of such charges respectively, and also stating the sentence which, in their opinion, should be pronounced; and a copy of such decision shall be, without delay, communicated to the accused; and the original decision, together with the evidence, shall be delivered to the Bishop, who shall pronounce such canonical sentence as shall appear to him to be proper: *provided* the same shall not exceed in severity the sentence recommended by the Court; and such sentence shall be final. Before pronouncing any sentence, the Bishop shall summon the accused, and any three or more Presbyters of the Diocese, to meet him at such time as may in his opinion be most convenient, in some church to be designated by him, which shall for that purpose be opened at the time to all persons who may choose to attend; and the sentence shall then and there be publicly pronounced by the Bishop. But the Bishop, if he shall be satisfied that

justice requires it, may grant a new trial to the accused; in which case, a new Court of Presbyters shall be appointed, the proceedings before whom shall be conducted as before mentioned.

Citations and notices.

SECT. 8. All citations and notices contemplated in this Canon shall be signed by the Bishop, and may be served by a summoner or summoners, to be appointed for the purpose by the Bishop, and whose certificate of such service shall be evidence thereof. In case of service by any other person, the fact shall be proved by the affidavit of such person. A written citation or notice delivered to a party, or left at his last place of residence, shall be deemed a sufficient service of such citation or notice.

Advocates allowed.

SECT. 9. Advocates or Proctors shall be allowed on both sides at the pleasure of the parties, provided they are Clergymen canonically resident in the Diocese, or Laymen who have been communicants of some Parish of the same at least two years before the time of trial.

Title IV.

OF MISCELLANEOUS PROVISIONS.

Canon 1.

OF PAROCHIAL LIMITS.

Convention may assign parochial limits.

SECTION 1. The Convention may, by general Canon or by special vote, assign territorial limits to Parishes. In the absence of such assignment, the limits of a Parish shall be those of the city or town in which the church stands. No Parish shall be formed within the limits of an existing Parish, without the consent first given of the Rector and Vestry of such Parish; and if there be two or more churches in any city or town, and no subdivision thereof or parochial limits have been established, the consent of the Rector and Vestry of a majority of the churches shall be necessary: *provided*, that, in every case of consent withheld, and in all cases where a majority of the Rectors interested so refer the matter, the consent of the Bishop and Standing Committee, after notice to all parties interested, shall be sufficient.

SECT. 2. In no case shall a Parish which for the six years last

preceding has failed to elect its legal officers, and to maintain stated public services, be revived, re-established, or recognized as a legal Parish, without the consent above named.

Canon 2.

OF PARISH REGISTERS, AND PAROCHIAL REPORTS.

Every Clergyman to keep a Parish Register.

Section 1. According to Section 1, Canon 17, Title I., of the Digest of Canons of the General Convention, each Clergyman of this Church shall keep a Register of Baptisms, Confirmations, Communicants, Marriages, and Funerals within his cure, agreeably to such rules as may be provided by the Constitution of the Diocese where his cure lies.

The Register to contain certain particulars.

Sect. 2. The Register shall specify the name, place, and date of the birth of each child baptized, with the names of the parents and sponsors; the name of each adult baptized, and the names of the witnesses; the names of parties married; the names of persons buried; and also the time when each rite was performed.

The Register to be carefully preserved.

Sect. 3. These entries shall be made by the Clergyman in a book to be provided for that purpose, belonging to the Vestry of each Parish, which book shall be the Parish Register, and shall be preserved by the Vestry as a part of the records of the Parish.

A list of communicants to be kept.

Sect. 4. The list of communicants shall embrace all within the Clergyman's cure, as nearly as can be ascertained; and he shall also keep a list of all the families and adult persons within his cure, as far as practicable, and also an accurate list of the persons confirmed from time to time by the Bishop.

Annual Parochial Report.

Sect. 5. Every Clergyman of this Church, regularly settled in any Parish, shall present, or cause to be delivered, on or before the first day of every Annual Session of the Convention, to the Bishop of the Diocese (or, if there be no Bishop, to the President of the Convention) a statement of the number of Baptisms, Confirmations, Marriages, and Funerals, and of the number of Communicants in his Parish; also the state and condition of the Sunday School and any other schools in his Parish; also the amount of the Communion Alms, the contributions for Missions (Diocesan, Domestic, and Foreign), for Parochial Schools, for Church purposes in general; also whether there is a Church or Chapel, with the number of sittings therein, and whether there is a parsonage; also the total valuation of the property belonging to the Parish, taken, if possible, from the tax lists of the town or city; and of all other matters that may throw light on the state of the same, according to the form

of Parochial Report transmitted by the Secretary of Convention, in accordance with Title I., Canon 2, Section 6. If a Parish is vacant, the Wardens shall present, or cause to be delivered, the foregoing statement. Every Clergyman not regularly settled in any Parish or Church shall also report the occasional services he may have performed, and, if he have performed no such services, the causes or reasons which have prevented the same. And these reports, or such parts of them as the Bishop shall think fit, may be entered on the Journals of the Convention.

Canon 3.

OF VACANT PARISHES.

Notice to be given to the Ecclesiastical Authority.

Whenever a Parish becomes vacant, it shall be the duty of the Vestry to give immediate notice thereof to the Ecclesiastical Authority.

Canon 4.

OF REPEALED CANONS.

Repealing clause.

Whenever there shall be a repealing clause in any Canon, and such Canon shall be repealed, such repeal shall not be a re-enactment of the Canon or Canons repealed by the said repealing clause.

Canon 5.

OF THE REPEAL, AMENDMENT, AND ENACTMENT OF NEW CANONS.

Form of future amendments.

Section 1. In all cases of future enactments, the same, if by way of amendment of an existing provision, shall be in the following form: "Title —— Canon —— (or Canon —— Section ——) is hereby amended so as to read as follows." And if the enactment is of an additional clause, Section, or Canon, it shall be designated as the next Canon, or next Section, or next clause of a Canon or Section, in the order of the numbering of the Title to which the subject properly belongs. If a Canon or Section or clause be stricken out, the existing numbering shall be retained until a new edition of the Canons be directed.

Changes to be certified.

Sect. 2. The Secretary, with any member of the Committee on Canons selected by such Committee, shall, at the close of each session of the Convention, certify the changes made in the Canons, and the Secretary shall print the same in the Journal.

Canon 6.

OF AMENDMENTS OF THE CANONS.

How Canons may be altered.

The Canons may be altered, or new Canons may be added, at the Annual Session of the Convention, by vote of a majority of each Order.

But no existing Canon shall be changed, and no new Canon shall be enacted, on the day on which the change or enactment may be proposed, unless such change or enactment shall have been referred to and reported upon by a committee of at least two Presbyters and two Laymen.

Canon 7.

OF REPEAL.

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